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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
M02A435-C6

In re Application of: David SOBERANIS, Randy FORSHEY

Application No.: 10/749,949

Filed: December 31, 2003

For: CHEMICAL DELIVERY SYSTEMS AND METHODS OF DELIVERY

The owner*, The BOC Group, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent Nos.6675987; 6098843; 6340098; & 6269975 as the term of said prior patents is defined in 35 U.S.C. 154 and 173, and as the term of said prior patents is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 32,351

Signature

October 31, 2006

Date

David A. Hey

Typed or printed name

908-771-6385

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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